

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PRECISIONFLOW TECHNOLOGIES, INC.

Plaintiff,

vs.

1:99-cv-1536 (Lead Case)

1:99-cv-2030 (Member Case)

CVD EQUIPMENT CORPORATION, ET AL.

Defendants

AND

CVD Equipment Corporation,

Plaintiff,

vs.

1:02-CV-651

**PrecisionFlow Technologies, Inc., Kevin Brady,
Christopher Joseph Schlenker, Scott Calabrese,
Scott Fischer, Stephen Brady, and Terrence Brady,**

Defendants

Norman A. Mordue, Chief U.S. District Judge

JUDGMENT DISMISSING ACTION BASED UPON SETTLEMENT

Pursuant to the settlement conference held on September 18, 2007, the parties have entered into an agreement in settlement of all claims in the above-referenced actions, and they reasonably anticipate finalizing their agreement shortly, following which these actions will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, I find that it is not necessary for these actions to remain on the court's active docket.

It is therefore

ORDERED that actions 1:99-cv-1536, 1:99-cv-2030, and 1:02-cv-0651 are dismissed, with prejudice, except as set forth below; and it is further

ORDERED that the court will retain complete jurisdiction to vacate this order and to reopen the action within three months from the date of this order upon cause shown that the settlement has not been completed and further litigation is necessary; and it is further

ORDERED that the Court retains jurisdiction over this matter for enforcement of the settlement agreement.

IT IS SO ORDERED

Dated: September 19, 2007


Norman A. Mordue
Chief United States District Court Judge